

Service Date: February 5, 1988

DEPARTMENT OF PUBLIC SERVICE REGULATION
BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MONTANA

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IN THE MATTER Of THE MONTANA POWER)	
COMPANY'S Request for a Waiver of)	UTILITY DIVISION
Certain Natural Gas Transmission)	DOCKET NO. 87.11.83
Line Valves.)	ORDER NO. 5327
_____)	

FINDINGS OF FACT

1. On October 26, 1987, the Commission requested The Montana Power Company (MPC) review its natural gas transmission system for compliance of Federal Pipeline Safety Regulations, Code of Federal Regulations, Title 49, Part 192.179, Transmission line valves.

2. Subpart 192.179 establishes the requirement for the spacing of sectionalizing block valves on transmission lines.

3. MPC completed the review of their system and found (2) two cases (Telstad - Great Falls Line and Main Line #3 to Warm Springs) where the specific spacing does not fully meet the requirements of CFR, Part 192. The spacing in the two cases exceeds the maximum allowed spacing by 740 ft. and 370 ft.

4. MPC states that these valve locations were chosen with continuous accessibility as the primary consideration. To have moved the valves closer together would have resulted in moving them farther from all-weather roads into less accessible terrain.

5. On November 12, 1987, the Commission received a request to waive the valve spacing requirements of CFR, Part 192.179(a) for the two valves for two sections of lines.

6. On December 23, 1987, a Notice of Waiver Request and Opportunity For Public Hearing was issued. The notice was published as a legal ad in eleven (11) Montana daily newspapers covering the Montana Power Company's service area.

7. The notice stated that protests and/or requests for hearing were due January 26, 1988. It further stated that if no hearing is requested the formal contested case procedures may be deemed waived and a default order may be issued.

8. No protests nor requests for hearing were received and no hearing was scheduled.

CONCLUSIONS OF LAW

1. The Applicant, Montana Power Company, furnishes natural gas service to consumers in Montana, and is a "public utility" under the regulatory jurisdiction of the Montana Public Service Commission. Section 69-3-101, MCA.

2. The Commission properly exercises jurisdiction over the Applicant's rates and operations. Section 69-3-102, MCA, and Title 69, Chapter 3, Part 3, MCA.

3. The Commission has provided adequate public notice of all proceedings and opportunity to be heard to all interested parties in this Docket. Title 2, Chapter 4, MCA.

4. The Commission is the Intrastate Agent for the Office of Pipeline Safety, U.S. Department of Transportation and enforces the provisions of the Code of Federal Regulations Title 49, Parts 191 and 192. Section 69-3-207, MCA

ORDER

1. The Montana Power Company's request for waiver of Part 192.179(a) for the two (2) sections of line described in the request for waiver is hereby GRANTED.

DONE AND DATED IN OPEN SESSION at Helena, Montana this 1st day of February, 1988 by a 5 - 0 vote.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION

CLYDE JARVIS, Chairman

JOHN B. DRISCOLL, Commissioner

HOWARD L. ELLIS, Commissioner

TOM MONAHAN, Commissioner

DANNY OBERG, Commissioner

ATTEST:

Ann Purcell
Acting Secretary

(SEAL)

NOTE: Any interested party may request that the Commission reconsider this decision. A motion to reconsider must be filed within ten (10) days. See 38.2.4806, ARM.